

### **REMARKS**

Claims 2, 3, 5-9, 11-14 and 19-21 are now currently pending in the present application. Claims 1, 4, 10 and 15-18 have been cancelled. Claims 2, 3, 5-8, 12 and 19 have been amended, which is supported at least, by previous claims 4 and 15-18 and the specification at page 22, lines 8-16; and page 31, lines 14-15. New claims 20 and 21 have been added which correspond to original claims 16 and 18. No new matter has been added by way of the present claim amendments.

#### ***Rejection under 35 U.S.C. §102***

Claims 1-4, 8-10, 15-17 and 19 stand rejected under 35 U.S.C. §102(b) as being anticipated by USP 6,521,694 to Belt et al. (hereinafter "Belt").

Belt fails to disclose a rubber-like or rubber-like material containing elastic article, wherein the article is molding/forming products of a rubber-like composition comprising a hydrogenated natural polyisoprenoid having a degree of hydrogenation of 50% or more or a modified product thereof, wherein the molding/forming is accompanied by crosslinking. Belt fails to disclose a method for producing a rubber-like elastic article, comprising the step of subjecting a rubber composition comprising a hydrogenated natural polyisoprenoid having a degree of hydrogenation of 50% or more or a modified product thereof to molding/forming accompanied by crosslinking. Belt fails to disclose a rubber-like or rubber-like-material-containing article which is a resin modifier comprising a rubber-like polymer that is a hydrogenated natural polyisoprenoid having a degree of hydrogenation of 50% or more, or a modified product thereof. Belt fails to disclose an article comprising a hydrogenated natural

polyisoprenoid latex or a modified latex product thereof, wherein the article is molding/forming products of rubber-like composition comprising a hydrogenated natural polyisoprenoid having a degree of hydrogenation of 50% or more or a modified product thereof, wherein the molding/forming is accompanied by crosslinking.

“A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.” *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987).

Since Belt does not teach each and every element of the presently claimed invention, it cannot properly anticipate the present claims. Accordingly, Applicants respectfully request reconsideration and withdrawal of the outstanding rejection.

### ***Rejections under 35 U.S.C. §103***

Claims 5 and 11 stand rejected under 35 U.S.C. § 103 as being unpatentable over Belt as applied to claim 2 and 8 above, and further in view of US 2003/0125475 to Sasagawa et al. (hereinafter “Sasagawa”).

Claims 6 and 18 stand rejected under 35 U.S.C. § 103 as being unpatentable over Belt as applied to claims 2 and 15 above, and further in view of USP 4,963,623 to Miller et al. (hereinafter “Miller”).

Claim 7 is rejected under 35 U.S.C. § 103 as being unpatentable over Sasagawa in view of Belt as evidenced by Miller.

As noted above in the context of the discussion under 35 U.S.C. §102(b), Belt does not teach each and every element of the presently claimed invention. Moreover, neither Sasagawa nor

Miller cure the deficiencies noted in Belt. For this reason alone, the cited combinations of prior art does not render the presently claimed invention unpatentable.

Additionally, according to the present invention, marked advantages are obtained. Specifically, the present invention is excellent in view of resources and ecological aspect, since natural derived material is made available at a relatively low cost. Also, the rubber-like or rubber-like material-containing elastic article of the present invention exhibit excellent mechanical properties, heat resistance, cold resistance and weather resistance, maintaining inherent excellent properties of natural polyisoprenoid itself. The benefits of the present claimed invention have not been previously been disclosed or recognized.

In view of the foregoing, Applicants believe the pending application is in condition for allowance. A Notice of Allowance is earnestly solicited.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Monique T. Cole, Reg. No. 60,154 at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.147; particularly, extension of time fees.

Dated: JUL 11 2008

Respectfully submitted,

By 

*MTC* Marc S. Weiner

Registration No.: 32,181

BIRCH, STEWART, KOLASCH & BIRCH, LLP

8110 Gatehouse Road

Suite 100 East

P.O. Box 747

Falls Church, Virginia 22040-0747

(703) 205-8000

Attorney for Applicant